

BEFORE THE FILM CERTIFICATION APPELLATE TRIBUNAL

05.11.2020

Appeal No. 08/2020

Present : CHIEF JUSTICE (RETD.) MANMOHAN-SARIN,
CHAIRPERSON, FCAT

MS. MADHU JAIN, MEMBER, FCAT

MR. SHEKHAR IYER, MEMBER, FCAT

MR. SAIBAL CHATTERJEE, MEMBER, FCAT

IN THE MATTER OF:

ANIL S. HANSRAJANI

...APPELLANT

VERSUS

CENTRAL BOARD OF FILM CERTIFICATION

(CBFC), MUMBAI

...RESPONDENT

APPEAL UNDER SECTION 5C OF THE CINEMATOGRAPH ACT, 1952 (37 OF
1952) AGAINST THE DECISION OF CENTRAL BOARD OF FILM CERTIFICATION
(CBFC) IN RESPECT OF HINDI DUBBED FILM "THE HITMAN IN LONDON"

FOR THE APPELLANT: YUSUF BENDRE, CO-REPRESENTATIVE

FOR THE RESPONDENT: MAHESH KUMAR, RO CBFC, DELHI

ORDER

JUSTICE MANMOHAN SARIN (ORAL)

1. This is an appeal preferred by the Appellant against CBFC's Impugned Order bearing No. 2A0120082000030 dated 08.09.2020 regarding refusal for UA certification, for satellite viewing of the film "The Hitman in London (Hindi/dubbed.)

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2. CBFC held that the film "The Hitman in London" (Hindi/dubbed) was suitable for 'A' certification. The reason for grant of "A" Certificate to the film was given as under:

"Narration, excessive visuals of violence, bloodshed, prostitution, scantily dressed women in brothel house, cleavage exposure and in the light of the guidelines the overall presentation need adult viewers."

3. The Appellant had sought from the CBFC 'U/A' Certification for satellite release. The Examining Committee after viewing the film had passed the above order.

It is also to be noted that the Appellant had already offered and carried eleven voluntary cuts relating to explicit sex and intimate scenes, and visuals, drug use, visuals of bullet shots etc. and those showing excessive violence and picturization thereof. These are given at page 12 of the Appeal paper book.

4. The Appellant in its brief statement of defence has stated that the story revolves around a king pin of brothel, who hand in glove with local police, forces girls to work for them as prostitutes. Lead character Bradlee is engaged to work with the brothel keepers, goons and their bosses. He finishes their network and helps girls to get free from forced prostitution.

5. The Appellant has submitted that they would accept such cuts as may be proposed by the Tribunal. The Appellant was to attend the hearing, but got held up due to a delayed train and accordingly sent an email requesting that hearing may be held and matter be decided.

6. We have watched the film. As the title suggests, it deals with hitting, shooting and violence, which run through the entire film. However, a distinctive feature is that violence depicted is neither graphic nor sadistic but generally is commensurate with the requirement of effective presentation. Further, the story depicts the protagonist lead character, Bradlee working for the Executive, king pin, who takes upon himself the task of cleaning up the bouncers, goons

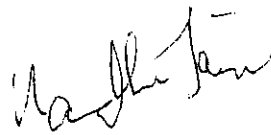
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and freeing the girls, who are forced to work as prostitutes in the brothels. The Appellant has already carried out the eleven voluntary cuts offered before the CBFC.

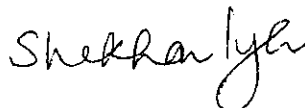
7. We are of the view that the film can be granted "U/A" Certification with parental caution subject to the following further cuts.

- (i) Scene showing punching and kicking of the girl appearing at 00.20.22 - 00.20.26 is deleted.
- (ii) Scene showing blood on wall appearing at 00.23.40 - 00.23.42 to be deleted.
- (iii) Lastly, the extent of violence as shown at 00.46.45 - 00.46.50 be reduced by three second i.e out of 5 seconds only two seconds be retained.

8. Mahesh Kumar, Regional officer Delhi on behalf of the CBFC also has no objection to the movie being granted 'U/A' Certification with the above excisions/deletions. The Appeal is allowed in the aforesaid terms.



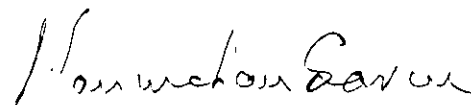
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